## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

FINBAR McGARRY, :

Plaintiff

:

v. : File No. 1:09-CV-128

:

ANDREW PALLITO, GREG HALE, :

RICHARD GALLOW, JOE WOLSKE, :

JOHN CANNON, CO FORCIER, :

SHERYLYN MATTHANS, JEFF COBB,

PAUL CROSS, SAMUEL SANTON, :

MICHAEL LIFF, VARIOUS TURNKEYS, : EVELYN CUSHING, VARIOUS :

LAWYERS, WILLIAM SORRELL, :

STATE OF VERMONT, :

Defendants

## **ORDER**

The Magistrate Judge's Report and Recommendation was filed November 19, 2009. (Doc. 26.) After <u>de novo</u> review and over objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. <u>See</u> 28 U.S.C. § 636(b)(1).

Defendants' motion to dismiss (Doc. 15) is GRANTED. Plaintiff's motions for preliminary injunctions (Docs. 3, 4) are DENIED as moot. This case is DISMISSED. SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 23<sup>rd</sup> day of February, 2010.

/s/ J. Garvan Murtha

Honorable J. Garvan Murtha Senior United States District Judge